

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

PETER DEMETRIADES and)	
MICHELE DEMETRIADES,)	Civil Action No. 1:09cv00025
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
PAUL DAVID BRYANT JR. and)	
SHARON K. BRYANT,)	By: GLEN M. WILLIAMS
Defendants.)	SENIOR UNITED STATES DISTRICT JUDGE

This case is currently before the court on the defendants' Motion To Dismiss, (Docket Item No. 8), which was filed on March 2, 2009. The case was referred pursuant to 28 U.S.C. § 636(b)(1)(B), to the Honorable Pamela Meade Sargent, United States Magistrate Judge. On May 26, 2009, the Magistrate Judge filed a report, (Docket Item No. 24), ("the Report"), stating the motion would be treated as a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56(c) because matters outside the pleadings were submitted by the plaintiffs and were considered by the court. The Magistrate Judge recommended that the motion be granted, and that the plaintiffs' action should be dismissed with prejudice. Objections to the Magistrate Judge's Report were timely filed by the plaintiffs on June 4, 2009, (Docket Item No. 26). Upon review of the objections to the Report, and all other relevant filings, the court is of the opinion that the Magistrate Judge's Report should be **ACCEPTED**.

For the reasons detailed in the Magistrate Judge's Report, the defendants' motion is hereby **GRANTED**, and the plaintiffs' action against the defendants is

hereby **DISMISSED WITH PREJUDICE**. The Clerk is directed to enter this Order and send copies to all counsel of record.

ENTER: This 29th day of July 2009.

/s/ *Glen M. Williams*
SENIOR UNITED STATES DISTRICT JUDGE